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5 Attorneys for Elli M. A. Mills, J.D., MBA, Receiver

U.S. DISTRICT COURT

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8 **UNITED STATES DISTRICT COURT**

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DISTRICT OF NEVADA

10 USACM LIQUIDATING TRUST,

Civil Action No. 2:08-cv-01276-KJD-RJJ

11 Plaintiff,

Date: _____, 2012
Time: 9:00 a.m.
Judge: Hon. Kent J. Dawson

12 v.
13 PLACER COUNTY LAND
14 SPECULATORS, LLC, aka PLACER
15 COUNTY LAND INVESTORS, LLC; et
al,

Defendants

16 **FOURTH ORDER AUTHORIZING RECEIVER TO BORROW
17 MONEY AND ISSUE RECEIVER CERTIFICATES**

18 Upon consideration of the Fourth Motion of Receiver for Order Authorizing Receiver to
19 Borrow Money and Issue Receiver Certificates [Docket No. 695], the Court having considered
20 the motion and arguments, and good cause appearing,

21 IT IS ORDERED that:

22 1. The motion is granted;
23 2. The Receiver is authorized to borrow an additional \$100,000 from Edward W.
Homfeld, and issue one or more receiver certificates on the terms and conditions set forth in the
24 motion if the loan is obtained from Mr. Homfeld;
25 3. The Receiver is authorized to obtain a loan from another source if more favorable
terms can be obtained from another source, including one or more of the other Owners;

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FOURTH ORDER AUTHORIZING
RECEIVER TO BORROW FUNDS
& ISSUE RECEIVER CERTIFICATES

4. Any deed of trust granted to secure the proposed borrowing is senior in priority to the FTB Tax Lien (as defined in the motion);

5. The Receiver is authorized to submit an ex parte application, if needed, to approve a form of order that is acceptable to the lender, when chosen, and the title company to ensure that the Receiver can grant a first priority security interest in the property to secure the borrowing, provided that such application is served on any counsel appearing in this matter; and

6. The Receiver is authorized to take all actions necessary to effectuate the borrowing and grant of a security interest in the Real Property that is the subject of this receivership, including executing any and all documents on behalf of the receivership estate.

Dated: Sept 25, 2012

**United States District Judge
District of Nevada**